

## Community resources

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## Viewing cable 09BOGOTA997, PALM OIL FIRMS VOLUNTARILY RETURN SOME LAND TO

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### Understanding cables

Every cable message consists of three parts:

- The top box shows each cables unique reference number, when and by whom it originally was sent, and what its initial classification was.
- The middle box contains the header information that is associated with the cable. It includes information about the receiver(s) as well as a general subject.
- The bottom box presents the body of the cable. The opening can contain a more specific subject, references to other cables ([browse by origin](#) to find them) or additional comment. This is followed by the main contents of the cable: a summary, a collection of specific topics and a comment section.

To understand the justification used for the classification of each cable, please use this [WikiSource](#) article as reference.

### Discussing cables

If you find meaningful or important information in a cable, please link directly to its unique reference number. Linking to a specific paragraph in the body of a cable is also possible by copying the appropriate link (to be found at the paragraph symbol). Please mark messages for social networking services like Twitter with the hash tags **#cablegate** and a hash containing the reference ID e.g. **#09BOGOTA997**.

Reference ID	Created	Released	Classification	Origin
<a href="#">09BOGOTA997</a>	<a href="#">2009-03-25 20:45</a>	<a href="#">2011-08-30 01:44</a>	<a href="#">CONFIDENTIAL</a>	<a href="#">Embassy Bogota</a>

Appears in these articles:

<http://www.elespectador.com/wikileaks>

VZCZCXYZ0000  
PP RUEHWEB

DE RUEHBO #0997/01 0842045  
ZNY CCCCC ZZH  
P 252045Z MAR 09  
FM AMEMBASSY BOGOTA  
TO RUEHC/SECSTATE WASHDC PRIORITY 7931  
INFO RUEHCV/AMEMBASSY CARACAS PRIORITY 1889  
RUEHLP/AMEMBASSY LA PAZ MAR 0026  
RUEHPE/AMEMBASSY LIMA PRIORITY 7208  
RUEHZP/AMEMBASSY PANAMA PRIORITY 3273  
RUEHQT/AMEMBASSY QUITO PRIORITY 7934  
RUEHGL/AMCONSUL GUAYAQUIL PRIORITY 4859  
RUEKJCS/SECDEF WASHDC PRIORITY  
RHEHNSC/NSC WASHDC PRIORITY  
RUEAIIA/CIA WASHDC PRIORITY  
RUCNDTA/USMISSION USUN NEW YORK PRIORITY 1982

C O N F I D E N T I A L BOGOTA 000997

SIPDIS

E.O. 12958: DECL: 03/25/2019  
TAGS: [PGOV](#) [PINR](#) [ECON](#) [SOCI](#) [EAGR](#) [CO](#)  
SUBJECT: PALM OIL FIRMS VOLUNTARILY RETURN SOME LAND TO  
DISPLACED AFRO-COLOMBIAN COMMUNITIES IN

11. Summary: On February 16-17, three palm oil firms voluntarily returned 1269 hectares of land usurped by paramilitaries to the displaced Afro-Colombian communities of Curvarado and Jiguamiando in Choco department. The hand over follows years of pressure by the GOC, human rights groups, and the USG, and is the first such return of land to the communities. Still, more than 20,000 additional hectares remain illegally in the hands of other palm oil firms and cattle ranchers. Before this land is returned, the GOC will need to complete a census of the displaced communities, finish mapping the disputed land, and identify the legal vehicle to remove the illegal occupiers. The experience of the Jiguamiando and Curvarado communities highlights the GOC's failure to set up an effective process to return land to displaced communities. End Summary.

#### Voluntary Return of Land

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12. (U) On February 16-17, three palm oil companies operating in the area of Curvarado and Jiguamiando, Choco Department, voluntarily handed over 1269 hectares of contested land to the Ministry of Interior (MOI) for the purpose of returning the lands to its legal owners. MOI said the three firms were: Agropalma, Palmas S.A. and Acopalma S.A. In a statement, the MOI said that 635 hectare of the 1269 hectare were planted with sick palm that could not be saved. Catalina Riveros, Special Advisor to the Minister of Agriculture (MOA), said MOA is looking for funds to pay local residents to eradicate the dead palm, so the land could be cleared to be occupied by the legal communities.

#### The 2007 Land Decision

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13. (U) In September 2007 a Ministry of Agriculture legally binding decision was made (resolutions 2159 and 2424) stating that land being occupied and used by palm oil companies in the areas of Curvarado and Jiguamiando Department of Choco, was done so illegally. The resolutions provided the legal basis for the communities to return to the land, but the process to void the illegal occupiers' titles, as well as the legal process to remove them from the land, still needed to be addressed. Since the initial ruling, the GOC's efforts to remove the illegal occupiers using the local courts or police have floundered due the lack of simple legal procedures and pressure by the illegal occupiers on local authorities (see ref A).

#### International Pressure Necessary

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14. (C) The February 16-17 event is the first voluntary return of land in the area, and reflects the ongoing pressure from the GOC, human rights groups and the USG in the case. Riveros agreed that it is an important step, but stressed the need for more international pressure. The Washington Office on Latin America (WOLA) also commended the event, but called for further pressure to return the remaining 21,000 hectares used by palm oil companies and illegal cattle ranchers. Similarly, Father Alvaro Franco of the Inter-Ecclesiastic Commission for Justice and Peace--a human rights group which has been active on this issue--praised the return, but noted the presence of criminal groups, including elements of Don Mario's group, in the region. he also voiced concern about criminal penetration of the local Colombian National Police presence. Franco said cattle ranchers, in particular, are using gunmen to threaten the communities, and urged the international community to continue to press the GOC to return the remaining land.

#### Obstacles and Some Solutions

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15. (C) Franco raised a number of obstacles delaying the return of the remaining 21,000 hectares of land to its legal owners. (Note: Only a small portion--approximately 4,000 hectares of the total amount of land in dispute is utilized

by palm growers, with cattle ranchers using the rest.) First, he explained that neither the remaining palm oil companies nor the illegal cattle ranchers have any interest in handing over the land. Both groups have filed legal appeals against the 2007 ruling, as well as criminal complaint against the communities (proceso 2022). He also asserted that the MOA is biased in favor of the palm oil companies, leading it to delay completion of the mapping and local census which are the next steps in the return process. Still, Franco agreed that the MOA is doing everything possible to expedite the hand over of the recently returned land to the communities.

16. (C) Presidential Human Rights Program director Carlos Franco told us that much of the process of collecting information for the census has been completed. Riveros said the MOA appointed an official in March to work full-time on completing the actions needed to resolve the land dispute. Still, she conceded that the tortuous process involved in trying to return illegally occupied land to the Jiguamiando and Curvarado communities highlighted the GOC's lack of effective tools to address this problem. Franco agreed the GOC needs to set up an expedited administrative procedure to facilitate land restitution to victims, as well as a special office to assist victims with such claims, but said such instruments are unlikely to be created in the near future. The current victim's bill provides a provision to expedite land restitution to victims, but is pending a vote in congress.  
BROWNFIELD

=====CABLE ENDS=====